

U.S. Department of Justice

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NEWS RELEASE

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Paul J. McNulty, United States Attorney for the Eastern District of Virginia, and John G. Malcolm, Deputy Assistant Attorney General for the Criminal Division, United States Department of Justice, announced that Mark Shumaker, 21, of Orlando, Florida, pleaded guilty today before the Honorable Gerald Bruce Lee, United States District Judge, to distributing music, software and gaming software in violation of the criminal copyright infringement laws. Shumaker is a former leader of the Internet music piracy group known as Apocalypse Crew. He is scheduled to be sentenced by Judge Lee on November 7, 2003, at which time he faces a maximum sentence of five years incarceration and a fine of \$250,000.

Apocalypse Crew is an Internet music piracy group specializing in the distribution of advance copies of digital music before its commercial release in the United States. Apocalypse Crew recruited music industry insiders, such as radio DJs and employees of music magazine publishers, in order to obtain pre-release copies of compact disks. Once released to the Internet, these advance copies would filter down to public distribution channels, such as the peer-to-peer (P2P) file sharing networks of KaZaa and Morpheus. In 2001, as a leading member of Apocalypse Crew, Shumaker coordinated the supply and unauthorized distribution of the group's music releases. He also operated the group's private, invite-only Internet Relay Chat (IRC) channel where members secretly discussed their illegal activities.

According to United States Attorney Paul McNulty, "This plea shows that those who steal copyrighted music from artists and believe they are doing so anonymously on the Internet are sadly mistaken. We can find you, we will find you, and we will prosecute you."

Shumaker is one of more than 22 defendants who have been convicted to date on charges of felony copyright infringement as a result of Operation Buccaneer, a worldwide investigation run by the Bureau of Immigration and Customs Enforcement and the Department of Justice's Computer Crime and Intellectual Property Section (CCIPS). Eighteen of those defendants have been prosecuted by the Eastern District of Virginia's Cybercrime Unit, in partnership with CCIPS. Additionally, last March, a federal grand jury in the Eastern District of Virginia indicted Hew Raymond Griffiths of Bateau Bay, Australia, the self-proclaimed leader of various Internet software piracy groups, including Drink Or Die, ViCE, and RiSC. A formal extradition request has been filed with Australian authorities. If Griffiths is extradited and convicted on all charges, he would face up to 10 years imprisonment and a \$500,000 fine.

“The conviction of Mark Shumaker is another example of the Department of Justice’s aggressive attack against high-level Internet piracy groups that initiate the illegal distribution of copyrighted works over the Internet,” said Deputy Assistant Attorney General John G. Malcolm. “Music piracy, no less than software or movie piracy, is a crime and its victims are real; musicians deserve to be paid for their creativity and work.”

"Intellectual Property Rights is a top priority for ICE. This extensive investigation was the direct result of the collaboration between the ICE's Washington Field Office and Cyber Smuggling Center, DOJ Computer Crime and Intellectual Property Section, and Eastern District of Virginia's Cybercrime Unit, said Kevin Delli-Colli, ICE Interim Special Agent In Charge. We will continue our joint efforts to locate, arrest and prosecute anyone in violation of these crimes."

Assistant United States Attorney Scott J. Stein and Senior Counsel Michael DuBose, CCIPS, are prosecuting the case for the United States.

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